

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ABBOTT LABORATORIES and)	
ADVANCED CARDIOVASCULAR)	
SYSTEMS, INC.,)	C. A. No. 06-613-SLR
)	
Plaintiffs,)	
)	
v.)	
)	
JOHNSON AND JOHNSON, INC. and)	
CORDIS CORPORATION,)	
)	
Defendants.)	

**MOTION FOR LEAVE TO FILE A SUPPLEMENTAL COMPLAINT
OR IN THE ALTERNATIVE TO CONSOLIDATE RELATED ACTIONS**

Pursuant to Federal Rules of Civil Procedure 15 and 42, Plaintiffs Abbott Laboratories, Inc. and Advanced Cardiovascular Systems, Inc. respectfully move for leave to file a supplemental complaint adding a claim for declaratory judgment of invalidity and noninfringement of United States Patent No. 7,217,286 (the "'286 patent"). The '286 patent, which issued from the Patent Office today, is related to the patents at issue in Plaintiffs' original complaint. In the alternative, Plaintiffs move to consolidate Civil Action No. 06-613-SLR with Plaintiffs' newly filed complaint, to be filed today when the clerk's office opens, for declaratory judgment of invalidity and noninfringement of the '286 patent. In addition, Plaintiffs move that the supplemental complaint or new

complaint be deemed filed as of the filing of this motion. Alternative proposed orders are submitted herewith and attached hereto as Exhibits A and B.

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Dated: May 15, 2007


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ADVANCED CARDIOVASCULAR
SYSTEMS, INC.*

CERTIFICATE OF SERVICE

I hereby certify that on May 15, 2007 caused to be served by hand delivery the foregoing document and electronically filed the same with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following:

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I hereby certify that on May 15, 2007, I caused to be sent by Federal Express the foregoing document to the following non-registered participant:

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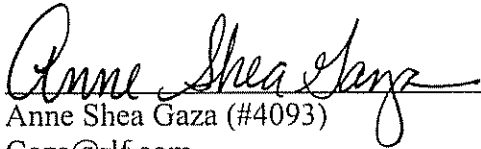

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EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ABBOTT LABORATORIES and)	
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SYSTEMS, INC.,)	C. A. No. 06-613-SLR
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Plaintiffs,)	
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JOHNSON AND JOHNSON, INC. and)	
CORDIS CORPORATION,)	
)	
Defendants.)	

**[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION
FOR LEAVE TO FILE A SUPPLEMENTAL COMPLAINT**

At Wilmington this _____ day of _____, 2007, having considered Plaintiffs' Motion For Leave To File A Supplemental Complaint Or In The Alternative To Consolidate Related Actions ("Plaintiffs' Motion"),

IT IS HEREBY ORDERED that Plaintiffs' Motion For Leave To File A Supplement Complaint is GRANTED. Within 10 days of entry of this Order, Plaintiffs may file a Supplemental Complaint substantially in the form as Exhibit A filed in support of Plaintiff's Motion. The Supplemental Complaint is deemed filed as of the filing of Plaintiffs' Motion.

Chief Judge Sue L. Robinson

EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ABBOTT LABORATORIES and)	
ADVANCED CARDIOVASCULAR)	
SYSTEMS, INC.,)	C. A. No. 06-613-SLR
)	
Plaintiffs,)	
)	
v.)	
)	
JOHNSON AND JOHNSON, INC. and)	
CORDIS CORPORATION,)	
)	
Defendants.)	

[PROPOSED] ORDER GRANTING PLAINTIFFS'
MOTION TO CONSOLIDATE RELATED ACTIONS

At Wilmington this _____ day of _____, 2007, having considered Plaintiffs' Motion For Leave To File A Supplemental Complaint Or In The Alternative To Consolidate Related Actions ("Plaintiff's Motion"),

IT IS HEREBY ORDERED that Plaintiffs' Motion To Consolidate Related Actions is GRANTED. Plaintiffs' Complaint For Declaratory Judgment Of Patent Invalidity And Noninfringement, filed on May 15, 2007, seeking a declaration that United States Patent No. 7,217,286 is invalid and not infringed is hereby consolidated with Civil Action No. 06-613-SLR. Plaintiffs' Complaint for Declaratory Judgment Of Patent Invalidity And Noninfringement for United States Patent No. 7,217,286 is deemed filed as of the filing of Plaintiffs' Motion.

Chief Judge Sue L. Robinson